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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,550	11/15/2001	Yasuhisa Hayashi	216099US2	7362

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EXAMINER

NGUYEN, QUYNH H

ART UNIT PAPER NUMBER

2642

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

g/a

Office Action Summary

Application No.

09/987,550

Applicant(s)

HAYASHI ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 September 2004.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-10 and 12-18 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1,3,6,8,10,12,15 and 17 is/are allowed.
- 6) Claim(s) 4,5,7,9,13,14,16 and 18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 9/23/04.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 4-5, 7, 9, 13-14, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chestnut (U.S. Patent 6,041,114) in view of Alcendor et al. (U.S. Patent 6,546,082).

Regarding claims 4 and 13, Chestnut teaches a system and method for managing call forwarding. Calls are forwarded based upon the device used to log onto the computer network by the called party (Fig. 2, 40, 44, and 50). The communication terminal ("caller 30") placed a call on the PSTN 6, and is sent a call forwarding destination information including information on at least a call forwarding destination (Fig. 3, 70 - "the caller is provided with a list of locations"); and the caller selects a call forwarding destination (Fig. 3, 72 - "...any of which can be selected by the caller and tried in order to locate the called party") and allows the communication terminal and the call forwarding destination to communicate with each other according the information on the call forwarding destination (col. 3, lines 8-42). Chestnut also teaches establishing a communication mode ("distinguish between internal extensions 10, outside lines 28, cell phones, Internet voice, home fax 24, voice messaging system 18, and two way pagers") between the communication system and the communication terminal according to the

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information on the call forwarding destination (col. 3, lines 51-60 and col. 4, lines 36-57), the telecommute server checks and instructs the PBX 4 to forward the call to the telephone extension associated with the device the called party has used to log onto the computer network or sends the incoming call to the voice messaging system if the called party is not logged onto the computer network, therefore, the telecommute server is inherently comprised a media conversion part for performing media conversion between communication modes.

However, Chestnut does not teach a media conversion part is configured to perform voice-to-text and text-to-voice conversion while the communication terminal and the call forwarding destination communicate with each other.

Alcendor et al. teach a system and method for assisting speech and hearing impaired subscribers. The Text-to-Speech resource 116 convert the hearing impaired subscriber 104's text input to speech then sent and played to the destination party 102 (col. 7, lines 22-31); and the Voice Aid Service receives the speech from the party 102 and convert the speech to text (col. 7, lines 41-47) and forwarded the text to the speech and hearing impaired subscriber while the communication terminal (subscriber 104) and the call forwarding destination (destination called party 102) communicate with each other (col. 7, lines 13-14 and 47-49).

It would have been obvious to one of ordinary skill in the art to incorporate the feature of having the media conversion including one of voice-to-text conversion and text-to-voice conversion, as taught by Alcendor et al., in Chestnut's system in order to have a call forwarding communication system in which the caller not only can select the

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call forwarding destination but also would be able to address the needs for individuals who have diminished hearing or speech capabilities.

Regarding claims 5 and 14, Chestnut teaches the caller is presented with different lists of potential forwarding telephone numbers to select, before the PBX 4 sends the call to the called party, the telecommute server 2 checks the computer network to see if the called party is logged on what device, for example, fax, voice messaging system, phone (communication mode is voice) reads on claimed "...caller selects a communication mode...configured to establish the communication mode selected by the caller between the communication system and the communication terminal". The last limitation is rejected for the same reasons as discussed above with respect to the last limitation of claim 4.

Regarding claims 7 and 16, Chestnut teaches indicating call forwarding is available or not and sending call forwarding information (col. 6, line 60 through col. 7, line 20).

Regarding claims 9 and 18, Chestnut teaches that the system checks to see whether the call forwarding is available or not (col.4, line 60 through col. 7, line 37 – to see whether the called party is logged on or off); sending information on call forwarding destinations if call forwarding is available (col. 4, line 64 through col. 5, line 2).

Allowable Subject Matter

3. Claims 1, 3, 6, 8, 10, 12, 15, and 17 are allowed.

Response to arguments

4. Applicant's arguments with respect to claims 4-5, 7, 9, 13-14, 16, and 18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hansen et al. (U.S. Patent 6,735,286) teach telephone system integrated text based communication processes apparatus and systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
October 28, 2004

**HECTOR A. AGDEPPA
PATENT EXAMINER**

